IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Garner T. Haupert, Jr. and Steven R. Gullans

Application No.:	10/601,184	Group:	1644
Filed:	June 20, 2003	Examiner:	Schwadron, Ronald B.
Confirmation No.:	6779		
For:	BIOSYNTHESIS OF HIF		

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

November 22, 2006	_[signature]_
Date	Signature
	Lisa A. Bevere
	Typed or printed name of person signing certificate

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is <u>a Reply to Restriction Requirement and Preliminary Amendment</u> for filing in the above-identified application.

[X]   Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[ ]   A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The claims fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	23	MINUS	* 23	0
INDEP	7	MINUS	** 7	0
☐ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY			OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
X $ 25	$ 0		X $50	$
X $100	$ 0		X $200	$
+ $180	$		+ $360	$

* not fewer than 20
** not fewer than 3

SMALL ENTITY TOTAL= $ 0

OTHER THAN SMALL ENTITY TOTAL= $ 0

The Application Size Fee has been calculated as shown below:
(Effective for cases filed on or after December 8, 2004)

Actual Sheets (Including current amendment)	Highest No. of Sheets Paid For (At least 100)	No. of Additional Units Required (Increments of 50 sheets)

SMALL ENTITY	
Rate	Total Amount Owed
X $125	$[ ]

OTHER THAN SMALL ENTITY	
Rate	Total Amount Owed
X $250	$[ ]

Payment Sufficient for up to
[ ] Sheets

Petition for Extension of Time

[ ] Applicant hereby petitions to extend the time to respond to the [ ] dated [ ] for [ ] month(s) from [ ] to [ ]. The appropriate fee is set forth below.

[ ] [For action-specific language in an extension of time, go to insert, file, public folders, firm templates, and select the appropriate paragraph.]

Please charge Deposit Account No. 08-0380 for the following fees:

[ ]   Petition for [   ] month Extension of Time $_____

[ ]   Claims Fee $_____

[ ]   Application Size Fee $_____

[ ]   Other Fees:

_____ $_____

_____ $_____

TOTAL: $_____0_____

A check is enclosed in payment of the following fees:

[ ]   Petition for [   ] month Extension of Time $_____

[ ]   Claims Fee $_____

[ ]   Application Size Fee $_____

[ ]   Other Fees:

_____ $_____

_____ $_____

TOTAL: $_____0_____

[X]   Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.
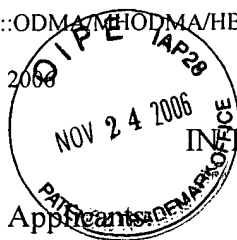
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By _Anne J. Collins_____

Anne J. Collins
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Concord, Massachusetts 01742-9133
Dated: November 22, 2006
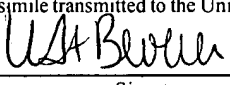
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REPLY TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated October 24, 2006, for the election of species for searching purposes, the Applicant hereby elects:

a) the claimed methods wherein the identified agent is an inhibitor of HIF activity; and

b) the claimed methods wherein the identified agent is an antibody.

Claims readable on the elected species are 1, 2, 4 and 9.

Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

Please amend the application as follows: